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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF JOHN C.
MITCHELL IN SUPPORT OF ORACLE
AMERICA, INC.'S OPPOSITION TO
GOOGLE'S MOTION FOR SUMMARY
JUDGMENT ON COUNT VIII OF
ORACLE'S AMENDED COMPLAINT**

Date: Sept. 15, 2011
Time: 2:00 p.m.
Dept.: Courtroom 9, 19th Floor
Judge: Honorable William H. Alsup

1 I, John C. Mitchell, declare as follows:

2 1. I am a Professor of Computer Science in the Department of Computer Science and
3 (by courtesy) Electrical Engineering at Stanford University. I earned my B.S. degree with
4 distinction in Mathematics from Stanford University and S.M. and Ph.D. degrees in Computer
5 Science from M.I.T. I submit this declaration in support of Plaintiff Oracle America, Inc.'s
6 Opposition to Google's Motion for Summary Judgment on Count VIII of Oracle's Amended
7 Complaint. I have personal knowledge of the matters set forth herein and, if called to testify,
8 could and would testify competently to the following.

9 2. I have been retained to provide my opinions on certain issues related to the
10 copyright and patent claims of this case.

11 3. Attached hereto as Exhibit 1 is a true and correct copy of my Opening Expert
12 Report Regarding Copyright ("Mitchell Opening Report") that I prepared in this case. The
13 Mitchell Opening Report also provides a more detailed description of my qualifications and
14 experience, including a curriculum vitae that is attached to Exhibit 1 as Exhibit A.

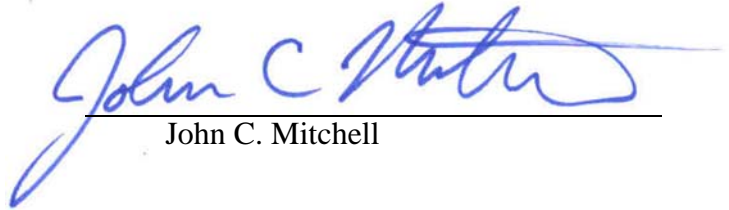
15 4. Attached hereto as Exhibit 2 is a true and correct copy of my Report in Opposition
16 to Dr. Owen Astrachan's Opening Expert Report ("Mitchell Opp. Report").

17 5. Attached hereto as Exhibit 3 is a true and correct copy of my Report in Reply to
18 Dr. Owen Astrachan's Rebuttal Expert Report ("Mitchell Reply Report").

19 6. Attached hereto as Exhibit 4 is a demonstrative exhibit illustrating how the
20 collections hierarchies for Java, C++, and Smalltalk have different organizational schemes and
21 use different language even though they have the same functional purpose. This information is
22 reproduced from paragraphs 193-99 of my Opening Report.

23 7. My reports contain a true and correct expression of my opinions based on the facts
24 as I currently know them, and accurately represent how I would testify at trial if called to do so.

1 I declare under penalty of perjury under the laws of the United States that to the best of
2 my knowledge the foregoing is true and correct. Executed on August 19, 2011, in Stanford,
3 California.

4 
5 John C. Mitchell